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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 16, 2001

APPLICATION OF

BGE COMMERCIAL BUILDING SYSTEMS, INC. CASE NO. PUE010476

For a permanent license to conduct
business as a natural gas
competitive service provider

and

APPLICATION OF

BGE COMMERCIAL BUILDING SYSTEMS, INC. CASE NO. PUE000484

For a license to conduct
business as a competitive
service provider in a
natural gas retail access
pilot program

ORDER GRANTING LICENSE

On August 28, 2001, BGE Commercial Building Systems, Inc. ("BGE" or "the Company"), filed an application with the State Corporation Commission ("Commission") to convert its pilot license, License No. PG-17,¹ to a permanent license to provide competitive natural gas service to commercial and industrial retail customers in WGL's service territory. The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the

¹ This license, issued in Case No. PUE000484, authorizes BGE to provide competitive natural gas service in the retail access pilot program of Washington Gas Light ("WGL").

Commission's Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules").

On September 13, 2001, the Commission issued its Order For Notice and Comment, establishing the case, requiring BGE to provide notice of its application to WGL, and providing for the receipt of comments from the public. No comments from the public on BGE's application were received.

On September 28, 2001, BGE filed proof of the service of the Commission's September 13, 2001 Order for Notice and Comment on WGL required by Ordering Paragraph (3) of the September 13, 2001 Order.

On October 2, 2001, the Staff filed a Response to BGE's application ("Response"). In its Response, the Staff recommended that a license be granted to BGE to conduct business as a competitive service provider in a natural gas retail access program serving commercial and industrial retail customers in WGL's service territory, and that the docket granting the Company its pilot license, Case No. PUE000484, be closed. Staff also recommended that BGE be directed to file the reports required by the Commission's Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 et seq., ("Interim Rules") in the captioned docket, Case No. PUE010476. Staff alleged that this action would result in the efficient administration of the Commission's docket.

NOW UPON consideration of BGE's application to convert its present license to a permanent license to conduct these activities, and the Staff's Response thereto, the Commission is of the opinion and finds that BGE's request should be granted; that Case No. PUE000484 should be closed; and that any reports that BGE must file in accordance with the Interim Rules should be filed in the captioned docket, Case No. PUE010476.

Accordingly, IT IS ORDERED THAT:

(1) BGE's pilot license, License No. PG-17, is hereby cancelled and replaced with License No. G-6 for the provision of competitive natural gas service to commercial and industrial retail customers in WGL's service territory in accordance with the terms of WGL's permanent retail access program.

(2) These licenses are not valid authority for the provision of any product or service not identified within the license itself.

(3) Failure of BGE Commercial Building Systems to comply with the Interim Rules, the Retail Access Rules, the provisions of this Order, other State Corporation Commission orders and rules, or other applicable state or federal laws may result in an enforcement action by the Commission including, without limitation, the revocation, suspension, or modification of the license granted herein, the refusal to renew such license, the imposition of appropriate fines and penalties, or such other

additional actions as may be necessary to protect the public interest.

(4) Case No. PUE000484 is hereby dismissed.

(5) This matter shall remain open to receive the reports required by the Interim Rules and the Retail Access Rules, as well as any subsequent amendments or modifications to the licenses granted herein.